

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21285 of 2024

Arising Out of PS. Case No.-435 Year-2020 Thana- MAJHAULIA District- West Champaran

Bajrangi Ram @ Vishal Ram @ Bajrangi @ Vishal King S/O- Binod Ram
R/O- Village- Chhawani, P.S.- Bettiah Muffasil (MANUAPUL), Dist.- West
Champaran.

... .. Petitioner/S

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Majhauria P.S. Case No.435 of 2020 lodged under Sections 399,
400, 402, 411, 413 and 414 of the I.P.C. read with section 25(1-
b)/ 26/35 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against 15 named accused persons including the
petitioner against whom there is allegation that they are
planning to commit big crime with arms.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner is named in the F.I.R., but nothing has been



recovered from his possession nor he was apprehended from the place of occurrence.

5. Counsel further submits that name of the petitioner has been figured in this case by virtue of confessional statement of apprehended accused persons. He further submits that since nothing has been recovered from the possession of the petitioner, therefore Arms Act has not been made out.

6. Counsel further submits that the police has inserted petitioner's name at the mouth of co-accused and due to the reason that his antecedent is not clean. There are 7 criminal cases pending against him and out of 7 cases, he is on bail in 3 cases and in rest cases, he is persuading for bail. He further submits that the petitioner is in custody since 25.03.2021.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran/ Successor Court in connection with Majhauria P.S. Case No.435 of 2020, subject to the following conditions as laid



down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

9. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-



- i. Nautan Jagdishpur P.S. Case No.391 of 2020.
- ii. Bettiah Muffasil (Manuapul) P.S. Case No.24 of 2021.
- iii. Sathi P.S. Case No.154 of 2020.
- iv. Nautan P.S. Case no.382 of 2020.
- v. Bettiah Muffasil (Manuapul) P.S. Case No.84 of 2020.
- vi. Bettiah Muffasil P.S. Case No. 657 of 2020.
- vii. Bettiah Muffasil P.S. Case No.442 of 2020.

(Dr. Anshuman, J.)

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